

Village of Fox Crossing Board of Trustees Regular Meeting
Monday, February 14, 2022 - 6:00 p.m.
Municipal Complex - Arden Tews Assembly Room
2000 Municipal Drive, Neenah WI 54956
Agenda

1. Call to Order, Pledge of Allegiance and Roll Call
2. Awards/Presentations
3. Public Hearings
 - a) Intergovernmental Cooperation Agreement Between the City of Menasha and the Village of Fox Crossing
4. Minutes to Approve/ Minutes and Correspondence to Receive
 - Minutes to Approve**
 - a) Special Village Board Meeting – December 13, 2021
 - b) Regular Village Board Meeting – December 13, 2021 & January 10, 2022
 - Minutes and Correspondence to Receive**
 - c) Neenah-Menasha Sewerage Commission Meeting Minutes – December 21, 2021
 - d) Park Commission Meeting Minutes – January 12, 2022
5. **Public Comments Addressed to the Village Board.** Individuals properly signed in may speak directly to the Village Board on non-repetitive village matters whether on, or not on the agenda. However, no announcements of candidacy for any elected position will be permitted. Commenters must wait to be called, must speak from the podium, directing their comments to the board. Comments must be orderly. A maximum of **2-minutes** per person is allowed and you must return to the audience when signaled to do so. Public comment is not permitted outside of this public comment period. *Note:* The board's ability to act on or respond to public comments is limited by Chapter 19, WI Stats. **To address the Village Board, complete the Public Participation signup sheet.**
6. Discussion Items
7. Unfinished Business
8. **New Business- Resolutions/Ordinances/Policies**
 - a) 220214-1 Village of Fox Crossing Approval of City of Menasha & Village of Fox Crossing Intergovernmental Cooperation Agreement Under §66.0301, Wis. Stats.
 - b) 220214-1:ORD Ordinance to Accomplish Boundary Line Change Referenced in Intergovernmental Agreement Between the City of Menasha & the Village of Fox Crossing *First Reading, Second Reading & Adoption*
 - c) 220214-2 Amending the Articles of Organization and the By-Laws of East Central Wisconsin Regional Planning Commission
 - d) 220214-3 Preliminary Street Acceptance and Final Utility Acceptance for Prairie Lake Condominium Phase 4 Subdivision
 - e) 220214-4 Approve Community Development Department Associate Planner Work Agreement for Lily Paul
 - f) 220214-5 2022 Budget Amendment to Provide Funds to Purchase a Truck Mounted Leaf Vacuum for the Village Supplemental Leaf Collection Program
 - g) 220214-6 Operator License Applicants
 - h) 220214-7 Expenditures
9. **Reports**
 - a) Utility Superintendent David Tracey – Ninth Street and Mayer Street Neighborhood Sanitary Sewer Main Concerns
 - b) Clerk Darla Fink – Spring Primary Election on Tuesday, February 15, 2022, with Polls Open from 7:00 a.m. to 8:00 p.m.
10. Closed Session
11. Adjourn

A quorum of Police & Fire, Planning, and Park Commissions may be present, although official action by those bodies will not be taken; the only business to be conducted is for Village Board action.

Those individuals requiring the assistance of a sign language interpreter to participate in this meeting may call 720.7101 a minimum of five business days prior to the meeting.

RES #220214-1

VILLAGE OF FOX CROSSING APPROVAL OF CITY OF MENASHA & VILLAGE OF FOX CROSSING INTERGOVERNMENTAL COOPERATION AGREEMENT UNDER §66.0301, WIS STATS.

WHEREAS, Wisconsin State Statutes §66.0301 authorizes municipalities to enter into intergovernmental agreements for various purposes, including the establishment and adjustment of the boundary lines between them; and

WHEREAS, the City of Menasha and the Village of Fox Crossing have negotiated the terms of a tentative intergovernmental boundary agreement, a copy of which is attached, providing for a mutual agreed upon boundary between the two municipalities; and

WHEREAS, the Village of Fox Crossing Board of Trustees held a public hearing on the terms of the proposed agreement on February 14, 2022, after due notice as required by Wisconsin State Statute §66.0301(6)(c)1, to solicit public input on the terms of the agreement; and

WHEREAS, the Village Board of Trustees finds that the terms of the proposed agreement are reasonable, and that approval of the agreement will promote orderly development within the affected communities, minimize future intergovernmental conflicts and reasonably protect the economic interests of the Village.

NOW, THEREFORE BE IT RESOLVED, that the Fox Crossing Board of Trustees hereby approves the intergovernmental cooperation agreement between the City of Menasha and the Village of Fox Crossing, as attached.

BE IT FURTHER RESOLVED, the Village President and Village Clerk are hereby authorized to execute the agreement on behalf of the Village upon approval of the same agreement by the City of Menasha.

BE IT FURTHER RESOLVED, that the Village Clerk is directed to promptly cause the publication of the approved agreement in the manner required by Wisconsin State Statutes 66.0301(6)(c)2.

Adopted this 14th day of February, 2022

Requested by: Dale A. Youngquist, Village President

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

ORD #220214-1:ORD *First Reading, Second Reading, Adoption*
ORDINANCE TO ACCOMPLISH BOUNDARY LINE CHANGE REFERENCED IN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MENASHA AND THE VILLAGE OF FOX CROSSING

WHEREAS, the Village of Fox Crossing and the City of Menasha are parties to an intergovernmental agreement entered into pursuant to Wis. Stat. § 66.0301 (hereinafter, the “Agreement”); and

WHEREAS, under the terms of the Agreement, following the Agreement’s effective date, the Village is to attach certain territory previously located in the City; and

WHEREAS, under the terms of the Agreement, the attachment is to occur through the adoption of an ordinance by the Village under Wis. Stat. § 66.0301(6)(e); and

WHEREAS, this Ordinance is intended to serve as that ordinance.

NOW, THEREFORE, the Village Board of the Village of Fox Crossing, Winnebago County, Wisconsin, pursuant to the terms and conditions of the Agreement, together with the powers conferred pursuant to Wis. Stat. § 66.0301(6), does hereby ordain as follows:

SECTION 1. The lands set forth in Exhibit A, Exhibit B, and Exhibit G are hereby attached to the Village effective immediately.

SECTION 2. The Village Clerk is directed to file the documents required by Wis. Stat. § 66.0301(6)(e) and to take all other necessary action to implement this Ordinance.

SECTION 3. This Ordinance shall take effect immediately upon its adoption.

SECTION 4. The associated population of land referenced in Exhibit A, Exhibit B, and Exhibit G is zero (0).

Date Introduced: February 14, 2022

Date Adopted: _____

Requested by: Dale A. Youngquist, Village President

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #220214-2

AMENDING THE ARTICLES OF ORGANIZATION AND THE BY-LAWS OF EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION

WHEREAS, the Village of Fox Crossing is a member of the East Central Wisconsin Regional Planning Commission; and

WHEREAS, the Village of Fox Crossing is a local unit of government in Winnebago County; and

WHEREAS, the Articles of Organization (“Articles”) and the By-Laws of the East Central Wisconsin Regional Planning Commission (“Commission”) authorize a majority of the counties of the Commission to make certain amendments to the Articles and By-Laws; and

WHEREAS, however, the Articles and By-Laws reserve to the local units of government within the Commission the authority to determine the composition of the Commission; and

WHEREAS, the Commission’s Steering Committee and the Commission is recommending to both the member counties and the local units of government the amendments to the Articles and the By-Laws described below; and

WHEREAS, the following resolution is presented by the East Central Wisconsin Regional Planning Commission to the Village Board.

NOW THEREFORE BE IT RESOLVED, the Village of Fox Crossing Board of Trustees does hereby approve the revisions to the By-Laws as more fully set forth in Exhibit A, which is attached and incorporated by reference.

BE IT FURTHER RESOLVED, the Village Board does hereby recommend that Article III of the Articles describing the composition of the Commission also be amended as more fully set forth in Exhibit B.

BE IT FURTHER RESOLVED, that the Village Clerk be directed to forward a copy of the signed resolution to the Executive Director of the East Central Wisconsin Regional Planning Commission.

Adopted this 14th day of February, 2022

Requested by: East Central Wisconsin Regional Planning Commission

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #220214-3

PRELIMINARY STREET ACCEPTANCE AND FINAL UTILITY ACCEPTANCE FOR PRAIRIE LAKE CONDOMINIUM PHASE 4 SUBDIVISION

WHEREAS, the Village of Fox Crossing entered into a Development Agreement with Decker Rusch Development, Inc., regarding the development of the Prairie Lake Condominium Phase 4 Subdivision; and

WHEREAS, in accordance with the Development Agreement, Decker Rusch Development, Inc., constructed the required street, sanitary sewer, water, and storm sewer improvements to Village specification standards; and

WHEREAS, the preliminary street, and required sanitary sewer, water, and storm sewer improvements have been completed by Decker Rusch Development, Inc., and reviewed and approved by the Street Superintendent and Utility Superintendent; and

WHEREAS, Street Superintendent Randy Gallow recommends preliminary acceptance of gravel conditions for Prairie Lake Circle, located in the Prairie Lake Condominium Phase 4 Subdivision (as shown in attached map); and

WHEREAS, Utility Superintendent David Tracey recommends final acceptance of the sanitary sewer and water utilities located within the Prairie Lake Condominium Phase 4 Subdivision.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees hereby approves the preliminary acceptance of Prairie Lake Circle to gravel conditions, and the final acceptance of the sanitary sewer and water utilities, located in the Prairie Lake Condominium Phase 4 Subdivision, as attached.

Adopted this 14th day of February, 2022

Requested by: Randy Gallow, Street Superintendent

David Tracey, Utility Superintendent

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #220214-4

**APPROVE COMMUNITY DEVELOPMENT DEPARTMENT ASSOCIATE PLANNER
WORK AGREEMENT FOR LILY PAUL**

WHEREAS, Community Development Director George Dearborn and Human Resources Coordinator Kim Burdick recently conducted a search process to fill the vacant Associate Planner position; and

WHEREAS, Lily Paul has been selected by Director Dearborn to serve as the Village of Fox Crossing Associate Planner; and

WHEREAS, the benefit package negotiated between Village Manager Jeffrey Sturgell and Ms. Paul slightly deviates from the benefit package offered by the Personnel Manual; and

WHEREAS, Village Manager Sturgell has offered additional vacation days in the first and third years of employment than is offered by the Personnel Manual; and

WHEREAS, Village Manager Sturgell recommends the Village Board approve the work agreement letter for Ms. Paul, as attached.

NOW, THEREFORE BE IT RESOLVED by the Village of Fox Crossing Board of Trustees that the work agreement letter for Lily Paul is approved, as attached.

Adopted this 14th day of February, 2022

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #220214-5

2022 BUDGET AMENDMENT TO PROVIDE FUNDS TO PURCHASE A TRUCK MOUNTED LEAF VACUUM FOR THE VILLAGE SUPPLEMENTAL LEAF COLLECTION PROGRAM

WHEREAS, Superintendent Gallow requests funds and authorization to purchase a truck mounted leaf vacuum to aid the Street Department in conducting the Village Supplemental Leaf Collection Program; and

WHEREAS, the equipment will cost approximately \$240,000.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of Trustees that the 2022 Village of Fox Crossing budget is amended to provide funds for the purchase of a truck mounted leaf vacuum, as attached in **Option** _____.

BE IT FURTHER RESOLVED, that Superintendent Gallow is authorized to order and purchase the equipment.

Adopted this 14th day of February, 2022

Requested by: Randy Gallow, Street Superintendent
Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #220214-6

OPERATOR LICENSE APPLICANTS

WHEREAS, the operator license applicants for the upcoming two-year term, listed below, have made proper application with the Police Department; and

WHEREAS, all applicants either currently hold a valid two-year server license elsewhere, or have successfully completed the mandatory alcohol awareness training program, or have scheduled the course; and

WHEREAS, background checks have been conducted by the Police Department; and

WHEREAS, the Police Chief submits the applicants with a recommendation of approval as follows:

Cathleen Winter – Approved

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees recommends the above applicants recommended for approval be approved, pending payment, successful background checks, and completion of a state-approved alcohol awareness training program, for the licensing period beginning July 1, 2020 - June 30, 2022.

Adopted this 14th day of February, 2022

Requested by: Scott Blashka, Police Chief

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #220214-7

EXPENDITURES

WHEREAS, the Village of Fox Crossing has outstanding invoices totaling: \$13,744,561.16

WHEREAS, the disbursements are categorized below & the detail is attached:

Pending:	
General Fund	\$ 123,750.10
Special Revenue Fund	\$ 10,870.28
Debt Fund	\$ -
Capital Projects Fund	\$ 14,864.25
Water Fund	\$ 64,150.69
Sewer Fund	\$ 31,668.78
Stormwater Fund	\$ 14,341.22
Trust & Agency Fund	\$ 11,354,556.46
Special Processed Payments	\$ 2,130,359.38
Total:	<u>\$ 13,744,561.16</u>

NOW, THEREFORE BE IT RESOLVED, the Village of Fox Crossing Board of Trustees hereby authorizes the above expenditures to be paid by the Finance Department with the exception of none.

Adopted this 14th day of February, 2022.

Requested by: Myra R. Piergrossi, Finance Director
Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

VILLAGE OF FOX CROSSING
2000 Municipal Drive
Neenah, WI 54956

EXPENDITURE SUMMARY

For Accounts Payable Period Ending: February 8, 2022
 For Village Board Meeting of: February 14, 2022

REGULAR PROCESSED CHECKS	AMOUNT
General Fund	\$123,750.10
Special Revenue Funds	\$10,870.28
Debt Fund	\$0.00
Capital Projects Fund	\$14,864.25
Water Fund	\$64,150.69
Sewer Fund	\$31,668.78
Stormwater Fund	\$14,341.22
Trust & Agency Fund	<u>\$11,354,556.46</u>
 Total Bills for	 February 14, 2022
	<u><u>\$11,614,201.78</u></u>

SPECIAL PROCESSED PAYMENTS

CHECK #	PAYEE	DEPT. /PURPOSE	AMOUNT
	Village Specials	1/19-2/8/2022	\$1,579,040.56
		See Attached Listing	
ACH	Employee Benefits Corp	1/20-2/8/22	\$2,947.80
ACH	WI Retirement	1/25/2022	\$76,272.05
ACH	Plug N Pay	2/3/2022	\$15.00
ACH	Plug N Pay	2/3/2022	\$15.00
ACH	WI Deferred Comp	1/21/2022	\$6,867.41
ACH	WI Deferred Comp	2/3/2022	\$6,926.27
ACH	WI DOR	1/21-2/8/22	\$99.00
ACH	Elavon	2/7/2022	\$66.06
ACH	Elavon	2/7/2022	\$205.29
ACH	Elavon	2/7/2022	\$9.27
42185-42193	Payroll	1/20/2022	\$2,284.89
ACH	Payroll	1/20/2022	\$163,670.51
ACH	Payroll	1/20/2022	\$63,257.15
42336-42341	Payroll	2/3/2022	\$2,755.97
ACH	Payroll	2/3/2022	\$159,416.89
ACH	Payroll	2/3/2022	\$66,510.26
Total Special Processed Payments			<u><u>\$2,130,359.38</u></u>
 GRAND TOTAL			 <u><u>\$13,744,561.16</u></u>